

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Tyler Walls	Team: Squad #6	CCRB Case #: 201906142	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 07/12/2019 12:05 PM	Location of Incident: 168-23 Jamaica Avenue; 103rd Precinct.	Precinct: 103	18 Mo. SOL 1/12/2021	EO SOL 8/29/2021	
Date/Time CV Reported Sat, 07/13/2019 9:15 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sat, 07/13/2019 9:15 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Ian Woodard	24831	962175	103 PCT
2. POM Anthony Pala	17692	964200	103 PCT
3. POM Michael Jacobi	26543	965214	103 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Adriana Whiting	04928	953002	103 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Ian Woodard	Discourtesy: In front of 168-23 Jamaica Avenue in Queens, Police Officer Ian Woodard acted discourteously toward § 87(2)(b)	
B.POM Ian Woodard	Abuse: In front of 168-23 Jamaica Avenue in Queens, Police Officer Ian Woodard threatened to arrest § 87(2)(b)	
C.POM Michael Jacobi	Abuse: At the 103rd Precinct, Police Officer Michael Jacobi did not process § 87(2)(b)'s complaint regarding an officer.	
§ 87(2)(g), § 87(4-b)		

Case Summary

On July 13, 2019, § 87(2)(b) filed the following complaint with the CCRB online.

On July 12, 2019, at approximately 12:05 p.m., § 87(2)(b) double-parked his vehicle in the vicinity of 168-23 Jamaica Avenue in Queens. PO Ian Woodard and PO Anthony Pala from the 103rd Precinct put their sirens on and approached § 87(2)(b)'s vehicle. PO Woodard allegedly threw a summons for double-parking at § 87(2)(b)'s windshield (**Allegation A: Discourtesy:** § 87(2)(g) § 87(2)(b) told PO Woodard that he was abusing his power. PO Woodard allegedly replied that if he said one more word he would make a “criminal out of him” (**Allegation B: Abuse of Authority:** § 87(2)(g) § 87(2)(b)).

After the incident, § 87(2)(b) went to the 103rd Precinct stationhouse to file a complaint against PO Woodard. PO Jacobi did not take § 87(2)(b)'s complaint at the stationhouse and instead directed him to call the CCRB's phone number (**Allegation C: Abuse of Authority:** § 87(2)(g) § 87(2)(b)).

§ 87(2)(g), § 87(4-b)

The investigation did not obtain any video footage of the incident.

Findings and Recommendations

Allegation (A) Discourtesy: In front of 168-23 Jamaica Avenue in Queens, Police Officer Ian Woodard acted discourteously toward § 87(2)(b).

It is undisputed that PO Ian Woodard issued § 87(2)(b) a summons for double parking his vehicle in front of 168-23 Jamaica Avenue in Queens.

§ 87(2)(b) testified that PO Woodard immediately walked up to the driver's side of his vehicle and threw the summons at his windshield without explanation. PO Woodard did not make a prior attempt to hand § 87(2)(b) the summons (**BR 01**).

PO Woodard testified that he attempted to place the summons in § 87(2)(b)'s hand, but § 87(2)(b) initially refused to accept it. § 87(2)(b) eventually took the summons from PO Woodard's hand after being asked several times (**BR 02**).

PO Pala corroborated PO Woodard's testimony that he initially tried to place the summons in § 87(2)(b)'s hand and that § 87(2)(b) refused to accept it. However, PO Pala did not see how § 87(2)(b) ultimately received the summons (**BR 03**).

§ 87(2)(g)

Allegation (B) Abuse of Authority: In front of 168-23 Jamaica Avenue in Queens, Police Officer Ian Woodard threatened to arrest § 87(2)(b).

§ 87(2)(b) testified that PO Woodard provided him with the summons and began to walk away. § 87(2)(b) told PO Woodard that he abused his power by issuing him the summons. PO Woodard told § 87(2)(b) that if he said one more thing he would make a criminal complaint against him and that he would make a “criminal out of him.” § 87(2)(b) perceived this comment as a threat of arrest.

PO Woodard testified that § 87(2)(b) was issued the summons and was asked to leave. After § 87(2)(b) refused to move, PO Woodard informed § 87(2)(b) that he could be arrested for disorderly conduct since he continued to block vehicular traffic.

PO Pala testified that § 87(2)(b) could have been arrested for disorderly conduct because he was angry and refused to move his vehicle upon request. PO Pala did not hear PO Woodard threaten to arrest § 87(2)(b).

A person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof they obstruct vehicular or pedestrian traffic. New York State Penal Law §240.20 (BR 04).

§ 87(2)(g)

Allegation (C): Abuse of Authority: At the 103rd Precinct, Police Officer Michael Jacobi did not process § 87(2)(b)'s complaint regarding an officer.

It is undisputed that § 87(2)(b) went to the 103rd Precinct stationhouse to file complaint against another officer.

§ 87(2)(b) testified that he went to the 103rd Precinct stationhouse and told an officer at the front desk, identified as PO Michael Jacobi, that he wanted to file a complaint against an officer. The officer did not process § 87(2)(b)'s complaint at the 103rd Precinct stationhouse and instead provided § 87(2)(b) with the phone number to call the CCRB.

PO Jacobi testified that on the date of the incident, he worked as the T/S operator. PO Jacobi confirmed that he spoke to § 87(2)(b) who stated that he wanted to file a complaint against another officer. PO Jacobi directed § 87(2)(b) to a sign on the wall that indicated that an individual could make a complaint at the CCRB online, in-person, over the phone. § 87(2)(b) became irate and started shouting. § 87(2)(b) spoke to Sgt. Adriana Whiting who sat at the stationhouse desk near PO Jacobi. Sgt. Whiting redirected § 87(2)(b) to the sign on the wall (BR 05).

Sgt. Whiting did not recall the incident and did not witness another officer refuse to take § 87(2)(b)'s complaint (BR 06).

PO Kevin Greaney, the stationhouse security at the time, testified that he did not witness another officer refuse to take § 87(2)(b)'s complaint and that his assignment was not near the desk area (BR 07).

Complaints against uniformed members of service may be made at any patrol precinct. NYPD Patrol Guide Procedure 207-31 (BR 08). When a person is present in an NYPD facility and wishes to make a statement against an officer, an officer at the facility should interview the civilian, provide them with a copy of a Civilian Complaint Report PD 313-154 to be prepared in the civilian's own handwriting. NYPD Patrol Guide Procedure 207-30 (BR 09).

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first complaint to which § 87(2)(b) has been a party (**BR 13**).
- PO Woodard has been the subject officer in two complaints and two allegations, none of which currently have been substantiated. § 87(2)(g)
- PO Jacobi has been the subject officer of one previous complaint and one allegation which has not currently been substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
- A Notice of Claim Inquiry was submitted to the NYC Comptroller's Office on December 19, 2019 and will be included in the case file upon receipt (**BR 15**).

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date